

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA (Sacramento)

FILED

SEP 14 2005

JESSE VIZCAINO, JR.,

Plaintiff - Appellant,

v.

STANISLAUS COUNTY SUPERIOR
COURT; et al.,

Defendants - Appellees.

No. 05-16385

D.C. No. CV-04-00665-GEB-KJM

CLERK U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
~~CLERK U.S. DISTRICT COURT~~

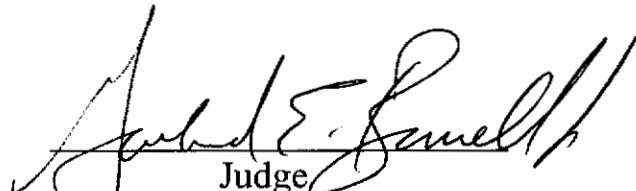
ORDER

This appeal has been taken in good faith []

This appeal is not taken in good faith [x]

Explanation: Not taken in good faith for the reasons
stated in the Findings and Recommendations filed

May 11, 2005


Judge

United States District Court

Date: September 14, 2005

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

September 7, 2005

JESSE VIZCAINO, JR.,

Plaintiff - Appellant,

v.

STANISLAUS COUNTY SUPERIOR
COURT; et al.,

Defendants - Appellees.

No. 05-16385

D.C. No. CV-04-00665-GEB/KJM

REFERRAL NOTICE

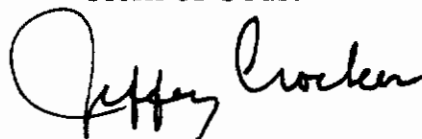
This matter is referred to the district court for the limited purpose of determining whether this appeal has been taken in good faith or is frivolous. *See* 28 USC Sec. 1915(a)(3).

If the district court is of the opinion that this appeal is frivolous or not taken in good faith, the district court is requested to complete the attached certification form and return it to this court within 21 days. If this court does not receive a completed certification form within 21 days, it will presume that the district court considers the appeal to have been taken in good faith.

This referral shall not affect the briefing schedule previously established by this court.

FOR THE COURT:

Cathy A. Catterson
Clerk of Court



By: Jeffery Crocker
Deputy Clerk